W.P. No. 374 (SS) of 2005

Hon'ble M. M. Ghildiyal, J.

Heard Sri Tanuj Semwal, learned counsel for the petitioner and Sri Tanvir Alam Khan, learned counsel for the respondents.

The petitioner has filed the present writ petition against the order dated 4th January 2005 passed by Assistant General Manager, Disciplinary Authority by which the petitioner has been awarded punishment of censure. The order was passed after duly enquiry.

Learned counsel for the respondent has submitted that there is provision of appeal against the order impugned.

Counsel for the petitioner has submitted that the appeal cannot be filed after three months. Since the order passed on 4th January 2005 and three months have been completed, therefore, the appeal cannot be entertained as time barred.

In the circumstances narrated above it is provided that in case the petitioner files appeal before the Appellate Authority within a period of 10 days from today, the Appellate Authority, after condoning the delay in filing the appeal, shall entertain the appeal and shall decide it on merits as expeditiously as possible.

With these directions, the writ petition is finally disposed of.

(M. M. Ghildiyal, J.)

07.04.2005:
NCM: